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## Statistics of Crime in the United States Census.

- I. Statistics of Crime prior to 1890.
- II. Census of 1890.
- III. General criticism of Census Statistics of Crime.
- IV. Propositions for Twelfth Census.

### I.

The United States census of 1890 devotes the greater part of the volumes entitled Crime, Pauperism and Benevolence, to the statistics of prisoners. The designation statistics of crime is not so exact as the term statistics of prisoners, but may be considered authorized by its use in the census volumes.

No statistics of crime or prisons appear in the census before that of the year 1850, which marked the beginning of modern methods in census taking.

The population schedule for 1850 contains as its last rubric the question whether the person enumerated was deaf and dumb, blind, insane, idiotic, a pauper, or a convict.<sup>1</sup> The instructions went so far as to say that enumerators should strive to find out, though *not* by direct questioning, whether any person not an inmate of a penal institution at the time of the census, had been convicted of crime during the year, and if so to return him as a convict.<sup>2</sup> Furthermore the census definition of "family" indicates clearly that penal institutions constituted a family in the census use of the term.

Clearly then the population schedule of 1850, which was substantially repeated in 1860 and 1870, offered an opportunity for statistics at least of prisoners. The

<sup>1</sup> Seventh Census. xii.

<sup>2</sup> *Idem*, xxii.

return of convicts at large must of necessity have been defective, as the question was not suitable for a census schedule. But the statistics of institution families could have been separated from the remainder of the population in such a way as to furnish a study of the personal characteristics of the inmates of correctional institutions, as well as of other categories of institutions. Such statistics would have comprehended only such items of statistical information as were available for the population at large, since none of the special characteristics of this population group were asked—crime for which committed, sentence, etc. None the less these statistics of personal characteristics derivable from the population schedule were not tabulated by the census authorities.

Such statistics of prisoners as we possess prior to the year 1880 were derived from another source, the schedule of Social Statistics.<sup>1</sup> This related to a variety of subjects and was essentially a locality schedule. Among its questions was one as to the number of prisoners in the place. But instructions as to what constituted a prisoner are lacking. The question was capable of several interpretations. It might apply only to penitentiaries or might include also the county jails and houses of correction. It might include only persons convicted of crime, or all inmates of penal institutions, among whom those awaiting trial are a considerable fraction. The number of prisoners reported by the census in 1850 and 1860 is small, and the subsequent census volumes admit that historical comparisons prior to 1880 are worthless.<sup>2</sup> In 1870 the statistics of prisoners were gathered by the same means as in the preceding census, though there seems to have been greater care exercised

<sup>1</sup> *Idem*, xii.

<sup>2</sup> Eleventh Census. Crime, Pauperism and Benevolence, 1 : 126.

in the enumerations required by the schedule of Social Statistics. The superintendent devoted considerable attention to this Social Schedule and issued definite instructions as to the interpretation of its headings. In connection with prisoners we learn that inmates of workhouses (houses of correction) were not to be included. But the schedule remained merely a summary of the number, without guarantees for its proper filling out. The writer is informed, however, of one instance in which the report for an entire state was a mere guess, and believes it to be the opinion of those well informed on the subject, that the entire enumeration was exceeding slipshod.

The figures furnished by the censuses of 1850, 1860 and 1870 are merely statements of the total number of prisoners by geographical divisions. In the form in which the information was gathered, there could be no study of details.

With the census of 1880 we find a great improvement. The facts relating to prisoners were gathered individually. The schedule contained not only the data required for the population as a whole, of which the prisoners form a part, but also specific data relating to cause of incarceration, and in the case of conviction, the nature of the offence and the duration of sentence. A considerable part of the volume entitled *Defective Dependent and Delinquent Classes* is devoted to the analysis of the figures and to the tables relating to crime. For the first time we find in the census the study of a population group of criminals in their various demographic and social characteristics.

## II.

With the census of 1890 the statistics of prisoners underwent a considerable enlargement. The special schedule for this class<sup>1</sup> contained not only as before the questions of the general population schedule, which were more numerous than in 1880, and the special questions of 1880, but a number of questions relating to social and industrial matters not found in the general enumeration. Of this nature were questions concerning occupation in prison, degree of industrial education, employment at time of arrest, advanced education, residence in or out of the state, health and use of alcoholic liquors.

Thanks to the use of the electrical tabulating machine the utilization of the data contained in the schedules is remarkably complete. The tables are in this respect probably unique. Nowhere does the writer know of a fuller analysis of a population group. In the volume devoted to general tables<sup>2</sup> as many as 511 pages are given to the statistics of prisoners.

If we attempt a critical examination of these volumes, it is not in a captious spirit, but solely in the hope of pointing out errors to be avoided in the future. It is the more necessary to emphasize this, as the need of brevity forces us to confine our remarks to what seem to us the errors of the volume.

The volume of general tables is open to the following criticisms:

*a.* The tabulation is at times wasteful and without purpose.

*b.* The tabulation is defective, differing in grouping from that of the general population.

<sup>1</sup> For questions asked on this schedule, see Eleventh Census, Crime, Pauperism and Benevolence, 1 : 1, footnote a.

<sup>2</sup> *Idem*, Part 2.

c. Much of the tabulation is often superfluous, as in the case of the data given in the general census and in the statistics of prisoners, it is more elaborate in the latter.

d. The tabulation relates to superfluous data, in that corresponding inquiries were not made at all in the general census of population.

a. To some persons the entire volume has appeared to be an example of wasteful tabulation. It has been pointed out that to devote five hundred and eleven pages of tables to eighty thousand persons is a disproportionate allotment of space compared with that given to the population in general. This criticism is hardly just in view of the high social interest which attaches to prisoners as a class. It is only justifiable in part, on the supposition that the extreme elaboration of the figures relating to prisoners would interfere with or prevent the proper tabulation of data of still greater social interest. In view of the generous appropriations made for the eleventh census it would be difficult to trace any such effect. In any general organization of the statistics of a country considerations as to the relative urgency and importance of different inquiries must receive due attention.

In some cases it would appear that there has not been a due regard for economy of space, but the most important defect is the printing of long tables of comparatively little significance. Thus Table 49 gives double, triple and quadruple crimes by states.<sup>1</sup> It records 3,367 facts, occupies 432 columns and 28 pages of printed matter. Of these columns ten only contain in excess of 25 cases; 43 only in excess of 5 cases; the remainder relating generally to one case. The fact that such and such a combination of crimes is represented once in the prisons

<sup>1</sup> *Idem*, 2 : 216-243.

of the United States, and that it is found in a certain state is not of sufficient importance to warrant its separate tabulation. This matter is carried still further in Table 53, comprising 20 pages, which gives the various combinations of charges, a cross-reference table.<sup>1</sup> The fact that the analysis in the introduction contains no mention of these tables beyond a mere naming of them is perhaps sufficient evidence that they elucidate no question of interest.

Another table gives occupations in prisons by groups of crime.<sup>2</sup> Concerning the value of such a tabulation, it is only necessary to quote from the introductory analysis: "the foregoing table has been inserted in order to complete the text according to the method adopted for the entire report, but the occupations of prisoners under sentence have little relation to the crimes with which they are charged."<sup>3</sup> This admits that in order to follow out a scheme of possible combinations a table has been printed which has no value whatever.

*b.* Defective tabulation is to be noted in the tables relating to occupations of prisoners prior to arrest. These occupations are summarized in groups, but the groups here given do not accord with the occupation tables of the census, and in the introductory analysis, no attempt is made to correlate the figures here given with those of the census of population. This lack of harmony between different parts of one and the same census is one of the gravest faults of the eleventh census and is unfortunately of not infrequent occurrence.

*c.* An example of superfluous tabulation is found in Table 55,<sup>4</sup> which gives a combination of the birthplace

<sup>1</sup> *Idem*, 2 : 254-273.

<sup>2</sup> Table 93. *Idem*, 2 : 387, f.

<sup>3</sup> *Idem*, 1 : 189.

<sup>4</sup> *Idem*, 2, facing p. 276.

of fathers and mothers for persons of mixed parentage. The numbers are in many cases too small to be significant, even if we knew the corresponding data for the population at large. But even in the cases where the numbers are considerable it adds nothing to our knowledge to know that the combination, A father and B mother, occurs  $x$  times among prisoners, so long as we do not know the frequency of the combination among the general population.

d. The absence of data for the general population on degree of industrial education, advanced education, idleness or employment at a given time, health, and use of alcoholic liquors, renders their inclusion in the statistics of prisoners of doubtful utility. The paucity of the analysis on these points is proof that it was not practicable to draw from them conclusions of any particular significance.

It should not be overlooked that questions of such a nature may in some cases become generalized and be applied to the population at large. By ascertaining such facts concerning a population group we sometimes make a step towards enlarging our knowledge of the population generally. But it may be doubted whether the questions here mentioned are capable of general application.

We may now turn our attention briefly to the analysis of the statistics of prisoners contained in Part I.<sup>1</sup> The text has been prepared with a great deal of care and many calculations of percentages have been made with the idea of bringing out the main results of the inquiry.

But the comparisons which are made do not always attain this result. They suffer from two defects.

<sup>1</sup> *Idem*, I : 123-263.



(1) Certain phenomena are grouped according to percentages of the total number of prisoners, without a reference to the corresponding classes in the population.

(2) When comparisons are made with the population, it sometimes happens that they are not made in the proper form.

(1) In comparing proportions of men and women in prison at different ages it appears that in the higher age classes the proportion of women to all in the respective classes is greater than in the lower age classes.<sup>1</sup> This fact seems to authorize the statement that in later life the tendency to crime is relatively stronger among women.<sup>2</sup> But such a statement assumes that the proportion of men and women in the general population is the same at each age class, an assumption which students of vital statistics are fully aware is untenable. Had the comparison been made with the number of persons living of each sex and each age class we should have been able to see the facts much more clearly.

As the value of statistics of personal and social characteristics of prisoners depends upon a comparison with the same elements in the population at large, it is hardly necessary to point out again that where such comparisons cannot be made, data relating to prisoners have little value.

(2) The comparisons made with the entire population ignore the fact that prisoners are recruited entirely from the adult population. This affects many comparisons, of which the following are illustrations :

<sup>1</sup> *Idem*, I : 155.

<sup>2</sup> "In later life, generally speaking, the tendency to crime is relatively greater among women, but in early and middle life among men." *Ibid.*

First,—We are told that the ratio of prisoners to the total population is greatest in the western section of the United States.<sup>1</sup> This is in part due to the fact that that section contains in its population the largest proportion of adult males, but of this we have no hint in the report. In like manner we are informed that the same section contains the smallest percentage of female prisoners.<sup>2</sup> Without the explanation that adult females were relatively less numerous in the general population west of the Rocky Mountains than east of them, the fact seems to be explicable only on the ground of greater virtue.

Secondly,—We find a comparison of the prisoners of foreign birth with the foreign born population, and of those of native birth with the native born population.<sup>3</sup> The defect of such a comparison has been frequently pointed out. The foreign born population, chiefly adults, furnishes naturally a much larger proportion of criminals than the native born population, which contains a large proportion (nearly one-half) of children.<sup>4</sup> Whatever differences may exist between the different elements with respect to the quotas which they furnish to the prisons, it is of the utmost importance, in view of the role of this question in current discussion, that they should be correctly calculated.

<sup>1</sup> *Idem*, I : 126.

<sup>2</sup> *Idem*, I : 128.

<sup>3</sup> In the table on page 125 and in a subsequent remark on page 126. It is to be noted as an unexplained curiosity that the ratios printed on page 124 and the comment immediately following the table do not agree with those printed on page 125. In the subsequent pages it is substantially the latter ratios which reappear as on page 166.

<sup>4</sup> Cf. the author's *Annual Statistics of Prisoners*, 1890, and H. H. Hart, *Immigration and Crime*, in *Am. Journal of Sociology*, 2 : 369. (1896).

Thirdly,—In the treatment of marital relations<sup>1</sup> the age element is neglected. The fact that sixty-four per cent of the prison population, as compared with 59.29 per cent of the general population, are single, has no special social significance. But if it is remembered that the prisoners are adults, and that among the adults (twenty years of age and over) in the general population the proportion of single persons is 25.64 per cent, the facts relating to the conjugal condition of prisoners acquire a new significance.

### III.

Our criticism has thus far related to the statistics of prisoners, and as such has pointed out some defects in the census of 1890. It is generally supposed that statistics of prisoners and statistics of crime are one and the same thing. But such is not the case. The census volume tells us very little about crime.

In the statistical study of crime we are interested in quantitative measurements. This is sometimes designated as the quantity of crime, and the questions of interest relate to the extent of crime among the population at large and in the several classes which compose it. Now the quantity of crime can be nothing else than the number of crimes committed (or ascertained to have been committed) in a given space of time (a year) by a given population. The ratio which expresses this quantity in analogy with the birth and death rate may be designated the crime rate. It is this crime rate which is of importance for the study of criminal tendencies.

The number of prisoners at a given time, which depends upon the number of persons committed to prison annually and the duration of their sentences, is no indica-

<sup>1</sup> Eleventh Census. Crime, Pauperism and Benevolence, 1: 168.

tion of the quantity of crime, and cannot serve as a substitute for the crime rate. This can be made clear by an assumed case which exaggerates the disparities of actual experience but illustrates the principle. Suppose two towns, A and B, each of 100,000 population, and each with 200 prisoners on the census day. Judged by the number of prisoners, crime in the two towns appears to be equal. Let us suppose that in each town prisoners are received at regular intervals, and that each prisoner in town A is sentenced to two years' imprisonment, while in town B each prisoner receives a sentence of six months. In such a case there must be one hundred prisoners sentenced annually in A and four hundred in B to maintain an average prison population of 200 in each town.

Or again supposing that in a given place the same number of offenses are committed annually. Should sentences become more severe the number of prisoners would increase; should they become lighter it would decrease.

There is, therefore, no necessary connection between the number of prisoners and the quantity of crime committed. The proportion of prisoners to the population is not a substitute for the crime rate.

Such being the case the ratio of prisoners to population can only be an indication of the crime rate in the rare case in which the sentences for two groups compared follow the same rules. If sentences should be longer or shorter now than formerly, historical comparisons based upon prisoners would be inaccurate. In an article on "Crime and the Census,"<sup>1</sup> the writer has attempted to examine how far the prison population gives an indication of the crime rate. By an analysis of the

<sup>1</sup> Am. Academy of Political and Social Science. *Annals*, 9 : 42-69 (1897).

various sentences imposed, which cannot be reproduced here, he reached the following conclusions :

"The census volume fails to give us a correct idea of crime in the United States :

1. Because it furnishes no basis for a calculation of the increase of crime.
2. Because in depicting the geographical distribution of crime, it favors one locality at the expense of another.
3. Because it exaggerates the number of the male sex in the aggregate of crime.
4. Because it assigns to the negroes a larger, and to the foreign-born white a smaller, share in the total of crime than belongs to each.
5. Because it distorts the picture of the relative frequency of the different classes of crime."

As the foregoing quotation suggests, it is not only for crime in the aggregate, but also for the crime of special groups that we stand in need of the crime rate.

<sup>1</sup> In March, 1897, Mr. W. D. Morrison published in the *Journal of the Royal Statistical Society* an article upon "The Interpretation of Criminal Statistics," from which the following sentences bearing upon this point are gathered: "It is as well to state at the outset that all competent statisticians are agreed that the movement of crime in a community cannot be determined by a reference to the movement of the prison population, or in other words by an appeal to prison statistics. . . . According to these returns (English prisons) the daily average prison population, both in local and convict prisons, has decreased almost continuously year by year during the last seventeen years. At first sight this continuous diminution of the prison population looks exceedingly like a corresponding decrease in the amount of crime. But a closer examination of the matter shows that a decreased prison population is not necessarily produced by a decrease of crime. The daily average prison population depends on the duration of sentences and not upon the amount of crime." . . . "It is of course to be admitted that if sentences were of the same length at the present day as they were about twenty years ago, then the prison population would be an approximate index of the movement of crime. But we know as a matter of certainty that sentences are not so long now as twenty years ago." Mr. Morrison then goes on to show that the heavier classes of penalties are less frequently imposed than formerly, and that in each class it is the less severe penalties which are growing in importance.

## IV.

The census of 1900 must of necessity make an enumeration of the prison population as an integral part of the general population. But in so far as it seeks to elucidate special problems of crime, we believe that a mistake would be made in following the traditions of the past, and in utilizing the prison population for the purpose.

In so far as crime is a subject of study, there should be an effort to approximate the methods and practice of other countries. But an enumeration of cases judicially decided offers many difficulties because of the multiplicity of courts. The problem is somewhat simplified if we seek the statistics of admissions to penal institutions on conviction of crime.

This is a practicable basis for crime statistics in the United States. There remains only the question of organization. Obviously the figures relating to the year of inquiry should be collected continuously throughout the year. The schedules should be prepared early and should be in the hands of prison officials long enough in advance to reach a complete understanding. The work would be greatly facilitated by the preparation of a model prison register, which should be so arranged as to contain the data required by the census as well as that prescribed by state legislation.

Of course such a plan would break with past traditions, and would leave us for a time without any historical comparisons. But this evil is less than that of faulty comparisons. For long term sentences of one year and over it might be possible to establish from the records of the larger institutions, which as a rule are well kept, the number committed each year for the last ten years, and thus to establish a basis of comparison for a most im-

portant section of the criminal population. Indeed the interest in this subject would warrant annual statistics of this class, and the task would not encroach seriously upon the resources of the census bureau.<sup>1</sup>

The propositions of the writer are for statistics of crime upon the basis of persons convicted and received by penal institutions in the course of a year.

1. For serious offenders (sentences of one year or of greater severity) *Annual Statistics*.

2. For minor offenders (sentences of less than one year) *Decennial Statistics*.

#### NOTES ON FOREIGN STATISTICS OF CRIME.

The statistics of crime in foreign countries are based upon judicial proceedings. The subordination of the judicial authorities to the central government, the universality of the criminal code and the uniformity of its application, render it possible for the central government to collect statistics in this fashion.

Statistics of prisons are a secondary source of information, but they are largely of an administrative nature. They offer no suggestions which could be of interest in the United States.

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<sup>1</sup>For fuller discussion see article on "Crime and the Census," *Annals of American Academy of Political and Social Science*. Vol. IX. p. 66 *et seq.*